CONSIDERATIONS

UPON A

Printed Sheet

ENTITLED THE

SPEECH

MADE BY

Lord Russel

TO THE

SHERIFFS

TOGETHER

With the PAPER delivered by Him to Them, at the Place of Execution, on July 21. 1683.

EDINBURGH,
Printed by the Heir of Andrew Anderson, Printer to His Most Sacred Majesty, 1683.

To the *READER.*

IT is better to Obey God, then Man] *says the* Text. [It is better to Obey the Devil then God] *says the* Comment. *And are not those People now in a Happy State, d'ye think, that know not the Step of the way to Heaven* Themselves; *and have such* Interpreters *for their* Guides? *This is the* True Form of Godliness that Denies the Power of it; *And* This the Principle, *that, wherever it takes* Root, *loosens the* Foundations *of* Civil Government, *and* Obedience; *And makes way for the* Erecting *of a* Kingdom of Darkness *upon* Those Ruines. *There's a Great Deal in That same* Old Adage; [Where God has his Church, The Devil has his Chappel;] *for* Religion *is as well the* Pretence *of the* Worst *of Men, as it is the* Duty, *and* Business *of the* Best. *Where* Satan *cannot prevail for* Idolatry, *he'l content himself with* Heresie, *and* Schism; *And with the* dashing of One Altar *against* Another. *Where he cannot* Overthrow *the very* Ground *of our* Faith, *he'l Compound for* Liberty of Conscience; *And some* Plausible *ways of* Disguising *it. Next to the setting up of a* False God, *is the Begetting a* False Opinion *of the* True One; *which is almost an* Equivalent; *Onely the* One's *a* Material; *And the* Other's *a* Notional Idol: *The* One's the work of our Hands; *And the* Other *of our* Imagination. *At this rate, it is, that we* Confound Realities, *and* Appearances; Fancy, *and* Conscience.

This may look perhaps as if I were quite Running *away, both from my* Reader, *and from my* Business: *But I am, in truth, upon the very* Point *of my* Subject. *What was it that* Ruin'd *that unhappy Lord, (Whose Case is the Argument of this Paper; And whose* Unhappy Fate, I Lament from my Soul) *but the being* Bigotted *into* This Principle? *And what* Kingdom, *or* Government, *where it* Obtains, *is able to stand* against it? *If* Lucifer himself *were let* Loose, *he would* Preach *upon* That Scripture *of* Matth. 10. 28. *And* Pervert the Text. *This* Doctrine *of* Resistance *in case of* Religion, *is the* Source *of all our* Fears, *and* Jealousies, Seditions *and* Conspiracies; *Men that are* Drunk, *will* Sleep *themselves* Sober *again. We have* Bedlems *for* Lunaticks, Gibbets, Pillories, Whipping-Posts, *and* Jayles *for* Common Criminals: *But there's* No Discipline, No Cure *for* Enthusiasts. *Is* Religion *at Stake? Bring in* [a Bill against the Duke of *York* to disable him from Inheriting the Imperial Crown.] *Is* Popery *the Question? Come to a* Resolution *Immediately,* [That if his Majesty shall come by any Violent Death, *(No matter who kills him)* it shall be Reveng'd upon the Papists.] *Is there a* Popish Plot? *'Tis but the* Bricolling *of a* True Protestant Association, *that upon the* False Bound *shall* Play *upon the* Government. *And then we are to Consider again, that* This Proposition *is not only an* Incentive *to a* Rebellion, *and a* Justification *of it; but it makes the* Concealment *of the* Conspirators *as much a Point of* Conscience, *as the* Treason it self. *And how* Ridiculous *then is the* Pretence *of* Defending *that by* Force, *which no* Force *can* reach? *I never heard of any mans* Religion *yet that was taken away upon the* Pad.

upon This Maxim *is Grounded all that is* Mischievous, *or* Dangerous, *in the* Subject *of* These Considerations; *And I have done what I thought my* Duty *to* Do *in the* Exposing *of it.* These Papers *had come out* sooner, *but that I was* Trick'd *into a* Delay: *But* Julian is in the bottom on't; And I'le forgive any man that stands up for his Author.

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UPON A
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SPEECH
Of the LATE
Lord Russel
To the SHERIFFS, &c.

I Have not set Pen to Paper upon this Subject, Without first consulting all the Points of Decency and Duty, which I thought might properly fall within the Limits of this Discourse: As the Honour of a Noble Family; the Quality and Misfortune of an Eminent Person, together with matter of common Respect to *Truth*, *Justice*, *Christian Charity*, *Candor*, and *Good Manners*: Having no other end in these considerations, then to do a *Fair* and *Necessary Right* to the *Government*, within *that Compass*; I call it a *Right* to the *Government*, because there is not *one sound Part* in the whole *Body* of it, from *Head* to *Foot*; if this Paper may be Credited: And as the business has been *Managed* and *Improved*, [*The Cry of Innocent Bloud against Oppression and Injustice*,] would have been a *Title* much more Suitable to the *Air* and *Drift* of it, then that which it now bears. It carries the *Face* indeed of the *Testimony* of a *Dying Man*: But yet if a Body considers either the *Style*, the *Scope*, the *Declarative*, or the *Confessing Part* of it, there's nothing less in't: No so much as *one Period*, without a *Starting-hole*, where there lyes any *stress* upon the *Truth*, either of the *Intention*, or of the *Fact* in *Question*: Now for this Vein to run *quite through* it in a *Constant Course* of *Reserve*, *Mystery* and *Disguise*, there needs no more to Prove, that it was *Designed* for an *Amusment*: for *Methods* never come by *Chance*; so that the *Artifice* is not wholly to be *Neglected*; and yet I shall not lay more *weight* upon't than the Thing will *bear*.

The *Two Points* in *Consideration* are the *Speech* and the *Paper*. Now some will have it, that though the *Speech* was certainly my Lord *Russels*, there may be some doubt yet concerning the *Paper* that went along with it. And this Conjecture they ground upon the *Ambiguities* that Occur, both in the *Title*, and in the *Speech it Self*, which they Reason upon, after this manner. The *Title*, they say, tells us barely of the *Delivery* of it by my Lord *Russel*: And then in the *Speech*, there is not One *Syllable* more, concerning the *Paper* so *Deliver'd* than *These Numerical words* [*Mr. Sheriff, I have set down in This*

Paper all that I think fit to leave behind me.] My Lord does not first Read This Paper to the *Sheriff*, and then *Own* it. My Lord does not say [*Mr. Sheriff, The Contents of This Paper are True, in the whole, and in every part of it, So Help me God*] My Lord does not say, [*Mr. Sheriff, I do here deliver this Paper to you upon my* Death, *as the Truth, and the Full Truth of my Case.*] But my Lord says, [*I have Set down in This Paper.*] which *Setting down* imports no more than the *simple writing* of it: And so goes forward [*All that I Think fit to leave behind me*] which might have been as well said, in this Case, if the Paper had been an *Act of Parliament*, instead of the *Testimony of a Dying Man.* And what's the meaning again of [*All that I think fit*] in This Place? These Words by a *Scotch Figure*, may signifie, as the Reader pleases; either *Any thing*, or just *Nothing at All*; But however as a venture, a Man may conclude that there is something *More yet*, which he does *Not think fit to set down*; And *That*, for ought any Body knows, may be *All* that is *worth setting down*; Or (which is the same thing) *All* that the Reader will find *missing* in *This Paper.* And then, why [*Leave behind me?*] (they say) unless in the *Literal Sense*, That *I do not Carry it with me*; for there's no *Attestation*, Annex'd to't; No *Solemnity* of *Acknowledgment* or *Protestation* to Accompany the *Delivery* of it; no *Circumstance* to make it a *Memorial* of any thing more than the Transferring of the *Paper* out of *One* hand into *Another*; insomuch, that the matter lies at *Fast* or *Loose*, whether *this Paper* shall be *Reputed my Lords Act* or *no.*

My Answer is, that this Paper was *written* by my Lord, *Subscribed* by my Lord, *Delivered* by my Lord; and that by these *Visible Solemnities* it became *My Lords Act.*

It was Manifestly *My Lords Intention* that it should be *Taken* for *His Act*; And it is but *Common Justice* to *allow* and *understand* it so to be. It has been likewise *Published* and *made use of* by some of my Lords nearest Relations, *As my Lords Act*, and with Infinite *Zeal* for his Lordships *Advantage* and *Behoof.* Now after all these *Authoritative* and *Punctual Formalities* of Proceeding, there is not any Man that has a Tenderness for the *Memory* of That *unhappy Person*, but would rather *Entitle* him to this Paper, (how ill contriv'd soever) than charge him, on the other hand, with *double-dealing* and *mental Reservations* at his *Last Hour*; As if his *dying Thoughts* had been only taken up with Studying how to lead *People* into the *dark*; and to *amuse* the World with a *Riddle*, never to be *unfolded*, after the Closing of his Lordships Eyes, till the Day of *Judgment*; But let every Man take it which way he pleases, it comes, in my Opinion, to the same Issue at last; That is to say, Take the *Speech* and the *Paper*, *Together*; or take them *apart*, it's much at one.

[*God knows* (says the Speech) *how far I was always from Designs against the Kings Person, or of Altering the Government.*]

This Passage now according to the sincerity of *Popular usage* and *Construction* is as much as to say, [*God knows it, I was ever against these ways*;] but then if a Man looks at it through a pair of *Reformation-Spectacles*, 'tis a meer *deceptio visus*; and there is nothing at all to be seen; for a Body may be up to the *Ears* in a *Design*, and yet Cry out with a *safe Conscience* [*God knows how far I am against it.*] But there follows another Clause that seems to come closer a great deal, *i. e.*

[*In the words of a* Dying Man, *I Protest I know of no Plot, either against the* Kings Life, *or the* Government]

These Words, in *plain, honest English* ought to pass for *Current*, and as good as *Sterling* betwixt Man and Man; but he that reads them with a *Kirk-Comment*, will put them to All *Touches* and *Tests*, if he be *wise*, before he *receives* them. [*I Never knew of any Plot*] would have been much *Fuller* and much *Homer* to the *Indictment*, than [*I know of no Plot*;] For the neck of it is now broken; and it is no longer in *Being.* And then in the *Restraining* of that Disclaimer, to the *Kings Life*, or the *Government*; There's a *Salvo* left yet for the *Seizing of the Guards*, and for the *Imprisoning*, *Deposing*, or doing any

any other *Indignity* to the *King*, short of his *Life*. And *All this* without any *Change* of *Government* too, for the *Monarchy* is the *Same* still, though the *Crown* perhaps may be *Translated* from *One Head* to *Another*. Thus we see, Every *Lie's a Starr*: But I can never believe, that my Lord spake These *words* with the Intention of him that Penn'd them. but rather that Unhappily he took the *Paper* by *Contrat*, and without much *Examining*, either the *Stamp*, or the *Mettle*, pay'd it out again as he *Receiv'd* it. In One Word, *Some body else Prepar'd* the *Poyson*, Putit into my *Lords hand* for a *Cordial*, and his Lordship Deliver'd it over to the *People*: Not but that upon the main of my Lords *Tryal*, *Sentence*, and *Execution*, as the *Strictness* of the *Method* was *Absolutly Necessary*, so the *Process* was managed with all possible *Respect* and *Justice*:

We come now to the *Paper it Self*, which in several Places looks liker the *Character* of a *Primative Christian* Expos'd to the *Lyons* in a *Roman Theatre*; or That of an *unfortunat Hero* in the Field, than the *Figure* of a Person under the *double Calamity* of such a *Cause*, and such a *Sentence*.

[*I reckon This as the Happiest Time of my Life, tho Others may look upon it as the saddest.*]

Can any Man living that has *Flesh* and *Blood* about him, understand This *Hyperbole* according to the *Letter*, especially under the Circumstances of such *Mortal Mistakes* and *miserable Illusions*? What could a *Martyr* at the *Stake*, under a Guard of *Angels* have said *Greater* than *This*? And here's *The Arrow drawn to the Head* again.

[*The Importunity of my Friends, and particularly of the best and dearest* Wife *in the* World, *prevailed with me to* sign Petitions, *and make an* Address *for my Life*; *To which I was very* Averse; *For* (*I thank God*) *though in all Respects, I have lived One of the Happiest, and Contented'st Men in the World, (for now very near Fourteen Years) yet I am so willing to leave all, that it was not without Difficulty that I did any Thing for the Saving of my Life*; *that was* Begging.]

How strangly has the *Author* of This Paragraph mistaken his *Proportions*! To *draw* the *Character* of a *Seraphical*, *Resigning Christian* from the *Copy* of a *Stomacksful*, *huffing Cavalier*, and to talk of the *Last Test* of a *Dying Mans Religion*, and *Profession*, as if there were no more in't than a *vain Punctilio*, upon a point of *Honour* in a *Sword-man*. Is it become a *Shame* for a *Delinquent* to Acknowledge his *Fault*? For a *Condemn'd Person* to Pray for a *stop* to the *Execution* of *Justice*? For a *Subject* that by his own *Confession* has done *amiss*, to *beg Pardon* of his *Soveraign*? How long has it been a point of either *Bravery*, or *Conscience*, for a man to be so *Averse* to the *Saving* of his *Life*, as to oppose the *only Proper* and *possible* (nay the *Lawful* and *Honourable*) *means* of *preserving it*? A Petition in *This* Case, is so far, me thinks, from Needing, either a *Secondary Motive* to the *Inducing* of it, or an *Excuse* for the *doing* of it, That, without being wanting to *Himself*, his *Family*, and his *Friends*, I cannot see how he could have *Declin'd* it. My *Lords Signing* of the *Whole*, has made him become *Answerable* for every *Part*; But these *High Flights* were Undoubtedly the *Strokes* of *Another* Pen, that took more Care to *Advance* and *Support* the *Credit* of a *Faction*, than to keep within the Bounds of *Sobriety* and *Decorum*, in respect of his Lordships *State* and *Condition*. There are several Dashes besides too, that seem to be *Influenc'd by the same Genius*; and *Written* and *Publish'd* with the same *Design*; and with no more Regard neither, to the *Cast* of the *Person*, or to the *Pretence* of the *Paper*.

[*I wish with all my Soul* (says the Paper) *All our Unhappy Differences were Removed*; *and that All* sincere Protestants *would so far Consider the* Danger *of* Popery *as to lay aside their* Heats, *and* Agree *against the* Common Enemy; *and that the Church-men would be less* severe, *and the* Dissenters *less* scrupulous; *for I think* Bitterness *and* Persecution *are at all times* Bad, *but much more*, NOW.]

'Tis true; *My* Lords *Hand* makes *This Clause* my Lords *Act* again: But He that *Penn'd*

it

it, thought of nothing leſs, upon the *Drawing of it up*, than my Lords *Buſineſs*: For what's a *publick Reformation* to a *privat Confeſſion*? Here's a Gentleman, *Agonizing in extremis*, brought in with an *Expedient* in his Mouth againſt *Popery*. What's *Toleration*, *Comprehenſion*, *Aſſociation*, (for that's his Propoſal) to a Man that's brought to his *laſt Miſery*; and upon the *Critical* and *Final Diſcharge* of his *Soul* to *Almighty God*? Here's a *Chriſtian* under the *Inſtant*, and the *Indiſpenſable Obligation* of *Forgiving all Mankind*, brought in (with his *laſt Gaſp* betwixt his *Teeth*) *Arraigning* both *Church* and *State*, with *Cruelty* and *Perſecution*. And what's the *Severity* of the *Church-men* that He *Complains* of? And what's the *Perſecution*; but the *Executing* of the *Laws* upon *Others*: And *living* in a *Dutiful Obedience* to them, *Themſelves*? *Perſecution* (he ſays) is *ever Bad, but much more* NOW.] What an *Emphatical Note* is it, This *Critical* [NOW] ſhould be pitched upon for the *Seaſon* of *Indulging* the *Diſſenters*, which *They* have choſen out for the *Seaſon* of taking *Poſſeſſion* of the *Government*? But the *Humour* is *Carried on*; and there's a great deal more of the ſame Stuff ſtill.

[*For* Popery, *I look on it as an* Idolatrous *and* Bloody Religion; *and therefore thought my ſelf bound* [*in my Station*] *to do All I could againſt it*; *and by that*; *I foreſaw I ſhould Procure ſuch Great Enemies to my ſelf*; *and ſo* powerful Ones; *That I have been now for ſome time Expecting the worſt*; *and* bleſſed be God, *I fall by the Axe, and not by the Fiery Tryal.*]

The *Firſt Period* has in it, the very *Style*, as well as the *Doctrine* of the *Old Covenant*. There's the *Doctrine* of *Reſiſtance* in't; with an *Allowance* (nay and an *Obligation*) for every man to be *Seditious* [*in his Station.*] The *Second Period*, MEANS, That my Lord *Ruſſel* fell under the *Revenge* of the Duke of *York* for *Promoting the Bill of Excluſion*. This Clauſe had my Lords *Genral Aſſent* as well as the *Reſt*; but in *Conſcience* and in *Charity*, I do firmly perſwade my ſelf, That it was *gain'd* by a *Surprize*, when the *Diſorder* of His Lordſhips *Thoughts*, and the *ſhortneſs* of *Time*, perhaps would not bear much *Deliberation*; For whereas the *Death* of This *poor Gentleman* is *Invidiouſly* Charg'd upon the *Duke*, *for his oppoſing Popery*; the *Duke Himſelf* was to have been *Murder'd* (nay and the *King* too) by the *Pretending Anti-Papal Party*; and it was my Lords heavy Lot to Fall under the *Fate* of That *Conſpiracy*. And the *Bare Murder* was not *All* neither; for Thoſe that call themſelves the *True Proteſtants*, were to have Done the *horrid Fact*: (And according to the *Vote*) *to have reveng'd it upon the Papiſts*. The *Pen-man* after this, makes the Unhappy Gentleman to *Bleſſe God*, *That he fell by the Axe not the Faggot*; when yet at the ſame Time, ſo far was the *Faction* from *dreading* the *King*, the *Duke* and the *Government*, that *Thoſe very People* that made the Greateſt *Noiſe* with their *Fears*, *Jealouſies* and *Apprehenſions*, were themſelves *united in a Conſpiracy to Blow up All, in one common Ruine*. Now for the matter of *Foreſight* and *Expectation* of Miſchief; it is no wonder for Men that run *deſperat Courſes* to live in the *Apprehenſion* of *Dangerous Effects*.

[*I did believe* (ſays the Paper) *and I do ſtill*, *That* Popery is Breaking in upon the Nation; *and that Thoſe who Advance it*, *will ſtop at nothing to carry on their Deſigns*. *I am heartily ſorry*, *that ſo many Proteſtants give their Helping-hand* to it.

Was there ever ſuch a *Reckoning* caſt up betwixt the *Great God* and a *miſerable Sinner*, and not *One Moment* left to ſet things *Right* in, betwixt *That* and his Appearance at the *laſt Tribunal*? Here's not ſo much as *One Syllable* all this while, to my Lords *Caſe*, but only *Clamours* for fear of *Popery*; *Invectives* againſt the *Pretended Bringers of it in*; *Legal Proteſtants* turn'd over into the *Popiſh Callander*; and all this while, the *Perſecuted Perſons* are the *Aggreſſors*. God forgive the Man, whoever it was (*if he has not ſinn'd unto Death*) that wrought upon my Lord to Own this *Enflaming Paper*. And I cannot but hope in Charity yet, that betwixt the *Delivery* of it, and the *Stroke*, his Lordſhip *Repented* of the *Temerity*, and found a *Place* for *Mercy*.

But

But to Spell a little upon *These Words* (*I did Believe, and I do still*, &c.) He does not say, upon what *Grounds*; He *Propounds* no *Remedy*, *Offers* no *Proof*: We hear nothing by whom it is to be *brought-in*, or by *what means*: But it seems, there are both *Papists* and *Protestants* in the *Confederacy*. Why does he not tell us who they *are*, of *Both Sorts*? Or if it be only a bare *Conjecture*, methinks the *King* and his *Council* should be able to see as far into This Bus'ness as the *Prevaricator*: Or let it be as it will, I challenge the World to shew any One *Colourable Reason* for the *Printing* of it, that's *Honest*: To give the Adviser his due. This Paper was never Calculated, either for my *Lords Cause*, or *Service*, any further than to make use of his *Name* as a *Vehicle*, to convey the *Spirits* of this *Venom* into all the Corners of his Majesties Dominions. But he goes forward.

(I hope God will preserve the Protestant Religion, and this Nation: though I am afraid *it will fall under* very great Tryals, *and very* sharp Sufferings. *And indeed the* Impiety *and* Profaneness *that abounds and appears so scandalously Barefaced every where, gives too just Reason to fear the worst things which can befall a People. I pray God prevent it, and give those who have shewed concern for the* publick Good, *and who have appeared Hearty for the True* Interest *of the Nation, and the* Protestant Religion, *Grace to live so, that they may not cast a Reproach on that which they endeavour to Advance.)*

God deliver *me* from a *Confessour*, at my last hour, that when I have but *one Moment* left to make my *Peace* with *God* in, shall put me upon employing that very *Instant* in casting *Fire-Balls* into a Nation, to set *Three Kingdoms in a flame*: And instead of *shrifting* my *own Conscience*, to be *Raking* in the *Puddle* of the *Iniquities* of my *Neighbours*. What's the *End* of these *Terrifying Alarums*, but to *Gall* and *Teize* the *People*, without any hope of *Remedy*, unless by flying into that *Damned Principle* of *Conditional Obedience*, to *Embrue* my hands in the *Blood* of my *Soveraign*? What's the *English* of this same (*Publick Good*) here: Appearing (*Hearty*) The (*True Interest of the Nation*) and the (*Protestant Religion*?) What is it, but the *Old Cause* in a *New dress*; And the direct *Encouragement* of a *Schism*, and *Sedition*, against the *Authority* both of *Church* and *State*? And then here's the *never still failing Topique* at hand, of *Impiety* and *Profaneness* with a *Characteristical Note* of the other Party; As men *Concerned* for the *Publick Good*, *Hearty* for the *True Interest*, and the *Protestant Religion*; under which Notion, the *Shammer* of this *Paper* upon my *Lord*, did beyond all controversie, *Intend* the *Conspirators*: For it does not only Answer his *Ordinary Description* of them; but he would have told us in *Plain Terms*, If he had meant *otherwise*, or at least he would have cast in as much *Schism* and *Rebellion* into the *other Scale*, as would have kept the *Ballance Even*. Not but that the *Sedition* and *Profaneness* are now (God be thanked for it) come to be *both of a side*. And here again;

(Whatever Apprehension I had of Popery, *and of my own severe and heavy share I was like to have under it, when it should prevail; I never had a thought of doing any thing against it* Basely, *or* Inhumanely; *but what could well consist with the* Christian Religion, *and the* Laws *and* Liberties of this Kingdom: *And thank God, I have* Examined *all my Actings in that Matter with so great Care, that I can appeal to* God Almighty, *who knows my Heart, that I went on* Sincerely, *without being moved either by* Passion, By-end, *or* Evil-Design.)

We are still upon the same *Train* of *uncertainties* and *Generals*. Why should *My Lord* have these *Apprehensions*, by reason of *His opposing Popery*? When the *King*, the *Church*, and the *Laws of the Land* are against Introducing the Religion of the Church of *Rome*, as much as *His Lordship*: But if the *Paper means One Popery*, and the *Law Another*; (As 'tis clear by the *Context* of it, that the *Church Protestants* and the *Papists* are to be blown up into the Air *Together*) the *Pretext* of *Religion* is *Degenerated* into a *Point-blank Sedition*: And every man that suffers for *Treason*, shall presently at this rate be made a *Martyr* for the *Reformation*. And again, will the *Composer* of this Paper have my Lords *Suffering*

ſering in this caſe, to be an Argument that *Popery Prevails*; becauſe his Lordſhip *foreſaw the Hard Meaſure he was likely to have, in Caſe it ſhould prevail?* Neither will the *Lawfulneſs of oppoſing Popery*, in any ſort, Excuſe the Doing of it by Unlawful means. There muſt be no Seizing of Guards in the Caſe; The Fear of a Falſe Religion is no Defenſe either before God or Man, for the Violence of an *Actual Rebellion*. How much more Forcible then is the *Condition* of *Our preſent Inſtance*; where the very men that pretend to *Fear Popery*, are ſo far from *Fearing it Indeed*, that it is one *Branch* of the *Conſpiracy to Say* they *Fear it*: A *Second*, to give it out, that the *Papiſts* are about to *Kill the King*; And at the ſame time, to *Reſolve* to do it *Themſelves*: And the laſt round of the Ladder, is, by *Conſent*, ſo ſoon as ever they have *Executed* the *Villany*, to make *Proclamation* that the *Papiſts* did it. But now we come to the *Deplorable Nicety* of my *poor* Lords *Caſe*; which, in *Appearance*, ſeems to be well nigh the *Single Propoſition*, wherein the *Confeſſour* and the *Penitent* agreed; And this was It, which coſt both *Himſelf* and that *Noble Family* ſo *Dear*.

Popery was to be *Oppoſed* it ſeems, but not *Baſely*, or *Inhumanely*; The *Guards* were not to be *Maſſacred*, or *Killed* in their *Beds*; But if the ſame thing in effect might have been done Bravely, and Sword in Hand, I ſee nothing in this Paragraph to the contrary, but that in ſubſtance it might have been Juſtified; for *Baſely* and *Inhumanely* are the Two only Exceptions that I find to the doing of it: And they do *Tacitly Imply* a kind of *Approbation* of the *Thing*, provided it might have been done in a way of *Reputative Generoſity* and *Honour*; for here's no *Regard* either *Had*, or ſo much as *Intimated* in *That Particular*, to the *Laws* either of *God*, or of *Man*.

There follows indeed a kind of *Reſtriction* (by way of a *Salvo*) That the *Proceeding* ought to hold a *(Conſiſtence with the Chriſtian Religion, and the Laws, and Liberties of this Kingdom.* And where are we then? If *Julian* the Firſt and the Second; If *Apoſtates* and the *Common Betrayers of Kings*, Maſters and People, ſhall be made the Judges of *That Chriſtian Religion*: Or *Hunt* and *Ferguſon*, the Arbitrators of our *Common Rights*? Oh how I curſe the firſt Minute that ever gave Admittance to any of theſe *Mutinous* and *Sanguinary Levites*, any of theſe *Popular* or *Seditious Bouteſeus*, under the *Roof* of that Honourable Houſe! *Hinc illæ Lachrymæ*! for that *miſtaken Principle* was the *Root* of all this *Evil*; and the *Main Incentive*, (I perſwade my ſelf) to the doing of many ill things by the Impulſe of that *Deluſion*: Had not a man better have a *Cloven Foot* in's Houſe, than one of theſe *Cloven Tongues*? The *Devil Bareſac'd*, puts a man to his Prayers: He ſummons up his *Reſolutions*, and Implores a Powerful and a Merciful God for his *Aſſiſtance*, with a Horrour all this while, for the Character and the Company of his *Seducer*: But in the other Caſe, a Man *Abandons* himſelf to the *Impoſtor*: Conſults no other Oracle, but takes his *Enemy* into his Arms, and Opens his *Heart*, for the *Spirit of Errour* to *Enter* in, and take *Poſſeſſion* of him; Pins his Faith upon the Sleeve of his Guide, and Swallows the Ruine, both of Body, Soul and Eſtate, with Greedineſs. He takes the *Broad way* for the *Narrow*, &c. God Deliver all honeſt Men out of the Clutches of theſe *Pharaſitical* and *Rapacious Hypocrites!* The *Dictator* of this Paper ſays, that (*My Lord Examined all his Actings*) And truly ſo much the *worſe*, if they were *Examined* by Applying them to *Falſe Rules* and *Meaſures*: And then he Vouches for the *Sincerity* of my Lords Heart, which *Syncerity* avails little too, if it be founded upon a wrong *Principle*: And no *Purgation* at all, neither of his *Innocency*, in caſe of an *Erroneous Judgment*.

Now to *Cloſe* this *Remarque*; the whole *Paragraph* is *Miſtery*; and there may be wrapt under it, what *Meaning* ſoever the Reader ſhall find Reaſonable to Impoſe upon it: for a thing may be Contrary to the Laws both of *Heaven* and *Earth*, and yet in his Senſe, neither *Baſe* nor *Inhumane*. *Julian* and *Hunt*, make that which the *Law* calls *Rebellion*, to be *Conſiſtent with our Laws, Liberties* and *Religion*: and then for the (*Examining of his Actings*) My Lords *Monitor* knows that *Ravillac* did as much; and in his own *Private Thoughts*,

Thoughts, *Approved* them too. *Our Regicides* here at *Home*, did the same thing, and yet their *Actions* never the better, or the more *warrantable* for having stood *That Tryal*. We come now to his *Reflexions upon* the *Bill* of *Exclusion*.

(I cannot but give some Touch about the Bill of Exclusion, *and shew the Reasons of my appearing in that bus'ness, which in short is this*: *That I thought the Nation was in such danger of* Popery, *and that the* Expectation *of a* Popish Successor *(as I have said in Parliament) put the* Kings Life *likewise in such danger, That I saw no way so effectual to secure Both, as such a* Bill. *As to the* Limitations, *which were proposed, if they were sincerely* offered, *and had passed into a* Law, *the* Duke *then would have been* Excluded *from the* Power of a King, *and the* Government *quite* altered, *and little more than the* Name of a King left. *So I could not see either Sin or Fault in the One, when all people were willing to admit of t'other; but thought it better to have a* King *with his* Prerogative, *and the* Nation easie and safe *under him, than a* King without *it, which must have bred perpetual Jealousies and a* Continual Struggle. *All this I say, only to justifie my self, and (*not to enflame Others, *though I cannot but think, my My Earnestness* in that *Matter* has had no small Influence in my *Present Sufferings*.

With Honour to my *Lords Reasons* for the *Bill*, the *Best* and the *True*st *Reason* that ever I met with for't, was This; That the *Exclusion* of the *Duke* would certainly draw the *Crown* after it; and that the *Suppressing* of *Monarchy* and *Episcopacy* was the *Best Expedient*, that ever was heard of, for the *Preventing* of *Tyranny* and *Popery*; so that the *Disease* was expressly *invented* for the *sake* of the *Remedy*: In the *Parliament-Case*, the *Kings* Life, it seems was in *danger* for the *Successors* sake: And in the *Plote-Case*, the *Successors* Life was in *danger*, for the *Kings sake*: There were *Limitations* offer'd (he says) but whether *SINCERELY offer'd*, or *not*, he makes a *Question* (for which his Majesty owes him a thousand Thanks) but whether the *One* or the *Other*, they were however very heartily *Rejected*; and he gives this *Reason* for't. They would have left the *Duke* only the *Name* of a *King*, without the *Power*; But *my Lords Prompter* was Resolv'd, that the *Duke* should either have *All* or *None*; and that the *Heir* should be *quite struck off*, rather than the *Crown Maim'd*. Now upon *This Consideration*; (and for the *saving* of the *Prerogative*, and for the *Ease* of the *People*,) The Paper-writer Absolves my Lord from either *Sin*, or Fault, in the bus'ness of the *Bill*; forgetting upon set Purpose on his Lordships behalf, That my Lord had *Promoted* the *Bill* before ever these *Limitations* were thought of. Touching the *Influence* that my Lords Earnestness in that Matter, might have upon his After-Sufferings; I shall easily Agree with the *Supposer* of it, That there might be something in't; for the *Project* of *Secluding* the *Duke*, was a *Limb* of that *Design*, which afterwards grew up into a Form'd Conspiracy, and Unhappily brought This mistaken Lord to his *End*. But to Impute any part of my Lords *Sufferings* to the *Malice* of a *vindictive Spirit*, for what he either said, or did, in *Parliament*, would lie open to so many *Disproofs* and *Contradictions*, that there is not place for any man in *sound Sense*, so much as to Imagine it. My Lord most Unfortunately fell into a *Cabal* of *Male-Contents*; frequented their *Meetings*; join'd with 'em in their *Councils*: There was a *Conspiracy* Carry'd on, which by the Mercy of God, was seasonably *Detected*: My Lord, with others, *Apprehended* upon it; brought to a fair *Tryal*, the Matter Legally prov'd: And his *Lordship Himself*, not able to Deny the *Substance* of the *Charge*. Upon This, he was found *Guilty*, *Sentenc'd* and put to *Death*. And what's *All This* to any *Court-Influence of Revenge*, for his Lordships *Earnestness* about the *Bill*? But we have taken up an Opinion in these late Times, as if the putting of an *Indignity* upon *The Heir of the Crown* were enough to make a Man *Shot-free*, and *HARD*, as they say, And that the 25. *Edw.* 3. could never *Touch* him after.

But as I was saying just now, The *Faction* had *Two Capital Designs* in Contemplation; The *One* was the Destroying of the *Duke* and the *King*: And the *Other* was the Destroying of the *King* and the *Duke*. The *Former* was to have been *Executed* by *Bill*; And the

Other by *Gun shot*. The *Passing* of the *Bill* had absolutely done the *Work*; but in a way of *Form*, and by *Votes* and *Ordinances*, which we have found to be every jot as sure, as *Protestant Ensyles* or *Blunderbusses*. For *One Dissenters Son* opens a *Gape* to *Another*. And when they have once got the *Trick* of *pulling by a Successor*, whom they do not *like*: 'tis Fifty to One, the *Humour* will take them of *Having no Successor at all*; and so by *Degrees*, these will follow a *Transition* from a *Dislike* of the *Person* to a *Dislike* of the *Government*: And the *Monarchy it self* will be found as Great a *Grievance*, as the *next Heir*. When they are once enter'd upon this *Train* of *Reformation*, there will be care taken that we shall never want *more work for the Tinker*; till the *New State-menders* may come to have the *stopping of Those Holes* that they *made themselves*: All *Councellors* shall be *Popish*, all *Ministers* and *Officers*, the *Guards*, the *Militia*, and *All Persons whatsoever*, in any Station of *Trust* and *Power*, they shall be *Papists*, or *Popishly affected*, *every Man of 'em*; saving such only as shall stand the *Test* of a *Secret Committee*. Now by this time we are within *One Remove* of a *True Protestant Commonwealth*. There is *One Question* that I have put at least half a dozen times to any, without Receiving so much as the least Pretence to an *Answer*. And I shall offer it once again to the Consideration of the *Exclusion Men*, Let any man shew me *One Argument*, that strikes upon the *Succession* of the *Duke*, which does not *equally Operate* upon the *King* in *Possession* too. For the *Same Popery* that *unqualifies* the *Lawful Successor* for the *Inheritance* of *Sovereign Power*, does as well *unqualifie* the *present Occupant* for the *Exercise* of it: As it is an *Equal Sin*, in the sight of God, the *Destroying* of a *Child* in the *Womb*, or the *Squeezing of the Brains out*, when it comes into the *World*.

Consider now again, that as the *King* was to be wounded through the *Duke*, so long as Matters were to be Carryed on with a Countenance of *Authority*, *Law* and *Conscience*; so the *Duke* was to be NOW wounded through the *King*, when they found themselves driven upon a *Fore'd Put*, and to the making of an *Attempt* by *Violence*: But still They were *Both* to be *Destroyed*, *Both wayes*; only, *vice versa*; the *Duke* to go *first* in a *Parliamentary way*: And, (as *Hone* said) the *King* to go first in an *Assassinating way*. But what's all this still to the Case of a *Dying Man*? I shall proceed now.

[From the time of chusing Sheriffs, I concluded the Heat in that Matter would produce something of this kind; and I am not much surprized to find it fall upon **Me**; and I wish what is done to me, may put a stop, and satiate some Peoples Revenge; and that no more Innocent Blood be shed, for I must, and do still look upon Mine as such; since **I know I was guilty of no Treason**, and therefore I would not betray my Innocence by Flight, *&c.*]

It was well judg'd, that the City Ryots would probably produce something of this kind, that is to say, Conspiracies and Resolutions of Tumult and Rebellion: And the Evil Genius at my Lords Elbow, does well enough observe that there was no great matter of surprize in't; for my Lord that was Embarqu'd in the same Vessel, to take his part in the same Storm. But how comes Legal Justice to be call'd [**some Peoples Revenge** ?] Or why may not all Criminals whatsoever, that fall under the dint of the Law, Arraign the Justice of the Nation upon the same Terms? It does no more hold on the one side, that the **City-heats** should make my Lord guilty, than on the other, that they should make him **Innocent**; neither do those distempers, in any sort, fall within the prospect of this Question: Beside, That this way of Reasoning inverts the very Nature and Tendency of them; For they are here represented as a subservient *Medium* toward the advancing of a **Popish Interest**, when the contrary is as clear as Day: And that it was a Republican and a Phanatical Spirit that stir'd up, and Animated all those Broils; and that they did it upon such Grounds and Principles too, as shook the very Monarchy it self. But if my Lord drew any Ill Bodings to himself from those Disorders, it was by a Prophetical Foresight of the fatal Miscarriages of the Sedition that was then a Brewing: and of his own unhappy share in the Misadventure. We have

spoken

spoken already to the point of Revenge, and we shall speak further to his Lordships Innocence in the due Place; as to his [Averseness to the betraying of his Innocence by Flight,] either the Inference is not Good; or else, All Those that are Fled are Guilty. The Paper says, that he was Guilty of no Treason,] but the Judges were of One Opinion, and my Lords Councel of Another.

[*I know* (says the Author of the Paper) *I said but little at the Tryal, and I suppose it look'd more like* Innocence *than* Guilt.]

Can it be imagin'd, that my Lord did not Defend himself as well as he could? And is it the First Time perhaps, that ever saying little to an Accusation, was made an Argument of a Man's Innocence: But of this hereafter, and so I shall go forward.

[*I pray God* (says the Paper) *lay not this* [my Condemnation] *to the Charge, neither of the Kings Council, nor Judges, nor Sheriffs, nor Jury, and for the Witnesses, I pity them, and wish them well; I shall not reckon up the Particulars, wherein they did me wrong, I had rather their own Consciences should do that; to which, and the Mercies of God I leave them.*]

Here's a most Scandalous Defamation thrown out against the Kings Council, the Judges, Sheriffs, Jury and Witnesses, all at a Cast; though the Manage was so Fair in All Respects, that the Justice and Patience of the Court was acknowledged by the very Zelots of the Party *themselves*: They could not but Confess, that the Tryals were Candid and Clear; they were heard at large; the Proofs indubitable, and seconded by their Own Confessions. But I must Observe again, that this Paper makes them Guilty, only by a Figure, and *prays* for them without *charging* them. It Prays for the Witnesses [*wherein they did my Lord wrong;*] but why does it not reckon up the Particulars: Nor Is it Said, that they did him any Wrong at all. The Penman will not charge my Lords Conscience with Averring any thing that is False; but he has Coloured it so, as to make the People Believe he had wrong done him, and that will do as well. He leaves the Particulars, however, [to their *own Consciences and Gods Mercies:*] To this, in short, This Paper is only a *Shots Mist* from one End to the Other. There's a bold Insinuation of Injustice; but not One Syllable in Proof, or so much as to Colour it.

But we'll put the Case now that my Lord had really Suffer'd All the Wrong he Complains of. It is true, It was the Part of a Generous Christian to close his Eyes with St. *Stephens* Prayer; but then the printing of that Prayer stands in a Direct Opposition to the seeming Piety and Resignation of it; for it lays Innocent Blood to the Charge of the Government; And Exposes the Administrators of it to the uttermost Rage and Fury of the Multitude, as the most Abominable Monsters upon the Face of the Earth; and All this, without the least Thought, Hope, or Possibility of any Other Benefite by it, than the Tearing of All to pieces, and the making of This Paper to do the work of the Conspiracy. [Can any body think that this Lordship would not have laid his finger upon the *wrong*, if he had Suffer'd any? Or that if he could (as he says) have reckon'd up any Particulars, that he would not have done it? He says in another Place,

[*I do freely forgive All the World, particulary those concern'd in taking away my Life; and I desire and Conjure my Friends to think of no Revenge.*]

These Words are only the *same Prayer* with the *Former*, *turn'd into Sin* (as the *Prophet David* says,) but *turn'd Another way*. And the *short English* of this *Ejaculation* is *a Prayer to Almighty God to forgive his Murderers*; with an intent to cast the *Guilt* of shedding *Innocent Blood* now *a Second Time* upon the *Ministers of Justice*? And what does the *Artificial Hypocrite* that Penn'd this *Paper*, but in the very *Act of Conjuring my Lords Friends to think of no Revenge*. Do all that is possible by This Printed Appeal, to draw on a publick Vengeance from the Irritated and Seditious Rabble. And once again now.

[*I never pretended to a Great Readiness in Speaking, I wish those Gentlemen of the Law, who have it, would make more* Conscience *in the use of it, and not run Men down by Strains and Fetches, Impose on Easie and willing Juries to the Ruine of* Innocent Men, *for to kill by*

Forms and Subtilties of Law is the worſt Sort of Murder: *But I wiſh the Rage of hot Men and the* Partiality *of Juries* may be ſtopped *with my* Blood, *which I would offer up with ſo much the more* JOY, *if I thought I ſhould be the laſt were to ſuffer in ſuch a way.*]

This is only a *Strain* and a *Fetch* (as the Paper ſays) for the running the ſame *Scandal* over again, with a little Varying the *Phraſe*. Who are thoſe *unconſcionable Gentlemen of the Law*? *whom* do they run *down*? What are the *Strains* and *Fetches*? Or where are the *Eaſie* and *willing Juries*? The *Ruin'd Innocents*? Or the *Murders* according to *Art*? The *Outrageous Men*, and the *Partial Juries*? The *People* are to underſtand this to be my *Lords Caſe*, though the *Author himſelf* has not the Face to *make* it ſo, either on the *One* ſide, or on the *Other*; and then he has wrought the *Character* too *High*, in the Expreſſion of my Lords *Offering up his Blood* [*with the more Joy*] inſtead of *the leſs Trouble* or *Affliction*; and *Concludes* with the laying of *Innocent Blood* again to the Charge of the *Government*. Upon the whole matter, this is only more and more *Calumny*, and *Iniquity* added to *Iniquity*. Whoever ſuggeſted *this Dictate* to his Lordſhip, might have minded him of thoſe very *Gown-men* and *Juries*, that he ſpeaks of, within the Memory of Man: and of a *Time*, when People were Deſtroy'd, not only by *Forms* and *Subtilties* of *Law*, but by *meer Noiſe* and *Tumult*: and to the End, that nothing may be wanting to the filling up the *Meaſure of the Scandal*; the *King Himſelf* comes in for his ſhare too, when he prays [*that He may be* [INDEED] *the Defender of the Faith*] implying That he is only ſo as yet in *ſhew* and *Title*. It may be another Queſtion now, in what Creed we are to look for *That Faith*, which the Contriver of this Paper would have his Majeſty to *Defend*: Or in what Part of Dr. *Burnet's Hiſtory of the Reformation*, a body may be ſure to find it.

[*I have Liv'd* (he ſays) *and now Dye of the* Reformed Religion; *A true and ſincere* Proteſtant, *and in the Communion of the* Church of England, *though I could never yet comply with, or riſe up to all the Heights of many People.*]

That is to ſay, I am not of the Church of *Rome* in *General*, not a *Papiſt*, but a *Proteſtant*, and a *Church of England Proteſtant* too; Bating, the [*Eſtabliſhed by Law*] *Colledge Himſelf* went thus far, and yet no body knew what to make of him at laſt. We have a hundred and fifty ſeveral ſorts of *Engliſh Proteſtants*, and conſequently in *his Senſe*, ſo many *Communions* of the Church of *England*: For *All the ſeveral Sects* have their *ſeveral Churches*, and when they are put to the *Touch*, Every Sect *Denominates* it ſelf of the *Church of England*: So that inſtead of the *Simplicity* of a *Declaration* and *Confeſſion*, we have not hitherto ſo much as One Line, that is not wrapt up in *Equivocation* and *Myſtery*: but the Only way of Expounding his *Intent* in *this Particular* muſt be by a *Collation* of *Parts*; and *Comparing* (as we do *Scripture Difficulties*) *One Text* with *Another*. He Complains in One Place, of *Bitterneſs* and *Perſecution*, and Charges the *Church-men* with *Severity*. He Reflects in *Another Place* upon [*many Proteſtants that give a Helping Hand to Popery*,] Now it cannot be Imagin'd, that the *Sham Confeſſor* (whoever he be) reckons my Lord, either among the Perſecuting, or among the Popiſhly-affected-Proteſtants; So that there's no *Church of England* Communion left him, but that of the Diſſenters. And what does he mean again, now, by the [*Heights of many people?*] The Standard of a Legal Conformity is neither Higher nor Lower than the Eſtabliſhed Rule and Meaſure: So that upon the Unriddling of this Clauſe, the wondrous Difficulty terminates in a very plain Reſolution: *i. e.* That the *Proteſtant* hereby Intended, is a *Diſſenting Member of the Non-Conforming Communion of the Church of* England. Thus far we have had Nothing but Doubling and Shifting: But after a Diligent and a Careful Search for One Clear and Plain Dealing Period or Two, (I at laſt) in ſome Degree Atone for the Oraculous Elufions of the Reſt; this is the Only Point-blank Aſſertion that I find in the whole Paper.

[*I ſhall Averr, that what I ſaid of my not hearing Colonel* Rumſey *deliver any Meſſage from my Lord* Shaftsbury, *was* TRUE, *for I always Deteſted Lying, though never ſo much to my Advantage; And I hope none will be ſo unjuſt as to think I would adventure on it, in* Theſe my laſt

last Words, *for which I am so soon to give an Account to the Great God, the Searcher of Hearts and Judge of all Things.*]

I take this to be the most Remarkable Passage in the Paper, being the Only Point that my Lord delivers upon his Death to be a *Truth*, without power of Revocation; And it is done too, with a Solemnity as Dreadful as the Contemplation of Divine Justice, and a Judgment to come, can make it. All the Rest is Loose and Dublous, and may be taken One way as well as Another: But in this, the Asseveration is Positive and Precise, *i.e.* that [*What my Lord said of his not hearing Collonel* Rumsey *deliver any Message from my Lord* Shaftsbury, *was true.*] We'le take it for granted now, that my Lord did not hear the Delivery of That Message: That is to say, a Message from the Earl of *Shaftsbury*, [*That it was High Time to come to some Resolution about the Rising.*] It does not therefore follow, that because My Lord did not hear the Delivery of the Message, he knew nothing therefore of the Contents of it? His Lordship heard the Subject Matter of the Message Debated; And he Heard the Answer that was Resolved upon in Return to that Message: Which was in Effect, [That Mr. *Trenchard was not Ready, and therefore they could not as yet go on.*] Nay, My Lord did not deny the Hearing of the Answer, but put the Question himself at his Tryal, [*whether or no he Consented to that Answer:*] And Collonel *Rumsey* delivered upon his Oath, that he did both Advise about it, Treat and Consent; So that it is not the value of a Single-Hair, (if there were Twenty Thousand Lives at Stake upon it) whether my Lord heard that Message Delivered or Not. What's the Meaning then of laying the Stress of his Salvation upon it? He Purges himself of no Part of his Charge by't, but rather by the Frankness of his Protestation in a matter of Little or No Importance, and without leaving himself any Room for an Evasion, he draws a Suspition upon the Candor and Clearness of all the rest, for it looks Odly to see a man so Wonderfully solemn, and Particular in one single Case, where 'tis not a Farthing matter whether it be Cross or Pile: And yet at the same time so Dark and Doubtful in twenty other Instances, where all that can be dear to a Man of Integrity and Honour, is concerned. But the Paper it self gives the Reason of this Different way of Proceeding, in saying that my Lord [*always detested Lying:*] Upon which consideration it has distinguished betwixt things True and False, by the Peremptory Strictness of the One, and the Ambiguities and Reservations of the Other, which is the only Key that Opens the Meaning of this Paper. And there's another thing to be observed, which is, that This very *Truth* was designed as a means to lead the Reader into a Mistake, as if My Lords not hearing the Delivery of the Message, were sufficient in Consequence, to Discharge him of the Guilt and Danger of the Consultation. My Lords Adviser has shewed himself a great Master in the Doctrine of Probabilities, This Paper quite throughout. There's but One plain Truth in't, and yet as the matter is ordered, there is hardly One Falsity neither, but it runs altogether in Appearance and Disguise, like one of your *Turning Pictures* that shews you a *Bear* on the One Hand, and a *Man* on the Other. It was Generally Noted, that my Lord had very little to oppose in his own Defence at his Tryal; and his Black Angel has found out a Shift for That too.

[*I was Advised not to Confess Matter of Fact* plainly; *since that must certainly have brought me within the Guilt of* Misprision; *and being thus Restrained from dealing Frankly and Openly, I chose rather to say Little, then to depart from That Ingenuity, that, by the Grace of God, I had carry'd along with me in the former Parts of my Life: And so could Easier be silent, and leave the whole matter to the Conscience of the Jury, then to make the Last, and Solemnest Part of my Life so different from the Course of it, as the using* Little Tricks, *and* Evasions *must have been.*

I cannot bring the several Parts of this Clause to a *Consistance* One with *Another*. My Lord was Advis'd against *Confessing* PLAINLY, FRANCKLY, OPENLY. He *Follow'd* That *Advice*; And in so doing, *Minc'd the Matter*, and *Confess'd* NOT PLAINLY *Nor* FRANCKLY, *Nor* OPENLY. That is to say; he *Confess'd Misteriously*, and kept himself

ſelf upon his *Guard*: which, how *Prudent* ſoever, was yet a *Departure* from the *Scrupulous Dignity* of his Lordſhips Figure, in This *Paragraph*; and falls within the Compaſs of the *Little Tricks and Evaſions* which I find in the very *ſame Period, Condemn'd*. But where's the *Hurt* now, of a Man's Employing All the *Honeſt Arts*, and *Methods*, for the Defence of his *Life* that the Cauſe will bear? As deſiring to know the *Pannel*, for the purpoſe; *Time* to *Conſider* of It; *Liberty* of *Challenges*, and the like. But to Deſcend now from This *Elevated Reſolution* to the very matter of *Fact*; I dare appeal to the moſt *Partial*, or rather to the moſt *Favourable* Friend my Lord had in the world, whether he thinks that *his Lorſhip Abated* any thing of the *Defence* that he *could* or *would* otherwiſe have made, upon the reaſon here Alledg'd; of keeping up the *Congruity of his Character*, to the end that in his *Life* and in his *Death*, he might be *all of a piece*. I muſt take notice again, that it is a very Extraordinary way, for a *Priſoner* at the Barr to be *ſilent*, where he has any thing to ſay for *himſelf*; And ſo to clear the whole matter to the *Conſcience* of a *Jury*, when in *Conſcience* they muſt Neceſſarily find *him Guilty*, If the proofs *Reach him*; and that he has nothing to ſay, to the *Contrary*. And then there's Another foul *Blot* too, in ſaying, that the [*Confeſſion of the Fact*, PLAINLY,] muſt [CERTAINLY *have brought my Lord within the Guilt of Miſpriſion*.] That ſame [CERTAINLY] has ſhew'd the World the very Bottom of the Buſineſs; for what becomes of [*The Words of a Dying Man*] then, *that my Lord knows of No Plot either againſt the Kings Life, or the Government*] when here's a *Plain Confeſſion* of the *Knowledge* of a *Conſpiracy*, and the *Concealment* of It? There can be no *Diſpute* upon this *Contradiction*, but the *Denial* muſt of Neceſſity be either *Falſe*, or *Double*. The *One* Pinches upon a Point of *Honour*; The *Other* looks only like a *Trial of Skill*: And ſo we ſhall content our ſelves to caſt it into the Heap of his *other Amphibologies*. (I make uſe of a *Hard Word* for a *very Ill Thing*, becauſe I would not have the *Common People* underſtand the *meaning* of It.) And it is upon *This Condition*, too, that the Reader ſhall be at liberty to take all his *Other Reſervations* by the ſame *Handle*; for upon the *Solution* of *This Difficulty*, depends the very *Iſſue* of the *Queſtion*. There Remains One Slip more yet, wherein the Author ſeems to have Overſhot himſelf. There's a Reproach faſtened upon his *Lordſhips Councel*, as if *They* had Train'd him into a *Snare*, by *Miſadviſing* him. 'Tis True, that the *Paper* does not ſay *expreſly*, whether they were *Profeſs'd Gownmen*, or *Particular Friends* that gave the *Advice*: But yet for the *Reputation* of his *Lordſhips Prudence*, it muſt be underſtood of *Lawyers*; as the *Only Competent Directors* that my Lord could make uſe of in ſuch an *Extremity*. Who can Imagine, now, that any *Lawyer*, (though never ſo little *Skill'd* in his *Profeſſion*) could *Adviſe* my Lord upon *Fair Inſtructions*, and a *Manifeſt Certainty* of what would be *Sworn* againſt him, to *Smother*, or to *Extenuate* the matter of *Fact*; left (as the Paper Inſinuates) It ſhould be found *Miſpriſion* of *Treaſon*? when *Effectually*, *This Lawyer* could have told my Lord his *Doom beforehand*; And that it would undoubtedly have been found, not only *Miſpriſion*, but *Treaſon it ſelf*. In which Condition; my Lords Councel, would rather have adviſ'd him to have thrown himſelf upon the *Kings mercy*. And there is more then a *Tacit Acknowledgment* of my Lords *Guilt*, In ſeveral other Parts of this Paper: But I'le take *This following paſſage* in my way to the reſt.

[*As I never had any Deſign againſt the* Kings Life, *or the Life of any Man whatſoever; ſo I never was in any Contrivance of* Altering the Government: *what the Heats, Wickedneſs, Paſſions and Vanities of Other Men have Occaſioned, I ought not to be Anſwerable for; nor could I Repreſs them, though I now Suffer for them: But the Will of the Lord be done, into whoſe Hands I commend my Spirit, and truſt that Thou, O moſt merciful Father haſt forgiven me all my Tranſgreſſions; the Sins of my Youth, and all the Errors of my paſt Life; and that Thou wilt not lay my ſecret Sins and Ignorances to my Charge.* &c.]

I ſhall here Recommend one ſpecial Note to the Reader: Which is, That in *Five ſeveral Places* (i. e. *Twice* in the *Speech*, and *Thrice afterwards*) this Paper Reſtrains my Lords

Lords Endeavour to diſcharge himſelf from the *Dint* of the *Indictment*, to the expreſs *Hints*, of the *Kings Life*, and *Altering* or *Changing* the *Government*. As for *Example*: [*God knows how far I was always from Deſigns upon the Kings Perſon, or Altering the Government: In the words of a Dying Man, I profeſs I know of no Plot, either againſt the Kings Life, or the Government.*] And then afterwards, [*I never had any Deſign of Changing the Government, &c.*] *I would have ſuffer'd any thing rather then have conſented to any Deſign to take away the Kings Life.*] And to again in the Clauſe laſt above-mention'd. The Hammering of This Point over and over, ſo often, was, Undoubtedly, to ſtrike the Deeper Impreſſion, and to create, in the ſhort-ſighted Multitude, a Stronger Perſwaſion of my Lords Innocence. But why in the *Same Words* ſtill? And with ſo Cautious, and Particular a Limitation, to Thoſe Two Articles; if it were not to Accommodate That Popular Cover to ſome Hidden Meaning? But the Fallacy that's Couch'd under [the *Kings Life*] and [*Altering the Government*] is expos'd already. It is ſaid here, That my Lord had no Deſign againſt the Life of any man whatſoever: 'Tis hard to Imagine a War, and no body to be Kill'd In't: But there's a *Salvo* for That too; That the Individual Perſon was not thought of. Neither do I believe that my Lord ever Deſign'd ſo take away the Life of Dr. Hawkins, though he ſaid in his Paſſion, that he hop'd to live to ſee him Head and Hung up.] That which follows next, ſpeaks my Lord Privy to a Great many Ill Things; And it is not enough to ſay, that he could not Repreſs them; For they were of ſuch a Quality, that his Lordſhip was Bound, both by Oath, and Duty to Diſcover them; Or at the leaſt, In Honour, and in Conſcience, to have avoided a Converſation that carried on ſuch Dangerous Deſigns.

And now to ſpeak one word to that which paſſes for his Lordſhips laſt Prayer. We have his own Acknowledgment of a Miſpriſion of Treaſon, And yet not one ſyllable upon that Subject, in his Parting Confeſſion. But he that wrote this Paper is a Profeſs'd Enemy I perceive, to the Chriſtianity of a Clear Confeſſion.

[*I hope no body* (ſays the Paper) *will imagine, that ſo* mean *a Thought could enter into* me, *as to go about to* ſave my ſelf by accuſing others. *That Part that ſome have Acted lately of that kind, has not been ſuch as to invite me to love Life at ſuch a Rate.*]

A Man ſhall not need to Gueſs twice, who was the Author of this Sentence; for 'tis written with the very Spirit of a Carguelite that makes Treaſon a Virtue, and Repentance a Mortal Sin; And my Poor Lord, in the Anguiſh of his Thought, is left here to Anſwer for the Lewdneſs of Another man, who, (Notwithſtanding the Juſtneſs of my Lords Sentence,) is Incomparably the Greater Criminal. If he ever was, or Pretended to be a Miniſter of the Goſpel, (For there are Julians in *Black-Coats*, and more Julians then One too) what could be more Luciferian; then to turn Penitence into a Scandal; And to Preach it for a Point of Religious Honour, in a Chriſtian, not to Diſcover his Complices in a Rebellion. Surely the Author of this Paper was afraid of being Diſcovered himſelf; And therefore Inculcates the Principle, and Recommends it. Is it ſuch an Indigniw for a man to [*Save himſelf by Accuſing Others?*] What is it then for a man rather to Damn his Soul by the Perjurious Concealment of a Traytor; then by Diſcharging his Duty, both to God and to his Prince, to lay down This Life in hope of a Better, through the Merits and Interceſſion of a moſt Mercyful Saviour? The Pen-man's [*Saving* of *Himſelf*, by *Accuſing Others*] is only the Falſe Gloſs of a Reprobated Seducer upon the Text. And then the Inſtance of his Reproach upon the Kings Witneſſes, in this Matter, is a Farther Diſcovery of the Venom of him that gave the Dictate. This is a way chalk'd-out, not only for the Encouragement, but almoſt the Canonizing of Conſpirators. Here is an Acknowledgement however, that my Lord *Could* have Accuſed Others, if he *would*. We ſhall come now to the Matter of Fact.

[*As to the Conſpiring to ſeize the Guards, which is the Crime for which I am Condemned, and which was made a* Conſtructive Treaſon *for taking away the* Kings Life, *to bring it within*

within the Statute of Edw. 3. *I ſhall give this true and Clear Account. I never was at Mr.* Shepheard's *with that Company but once, and there was no* undertaking *then of Seizing, or ſeizing the Guards; nor none appointed to* View, *or* Examine *them; Some Diſcourſe there was, of the* Feaſibleneſs *of it; And ſeveral times by Accident, in General Diſcourſe, elſewhere. I have heard it Mentioned as a thing might eaſily be done; but never* Conſented *to as Fit to be done, And I remember particularly, at my Lord* Shaftsburys, *there being ſome General Diſcourſe of this Kind, I immediately flew out, and Exclaimed againſt it, And aſk'd* [If the thing ſucceeded what muſt be done next, but, *Maſſacring* the *Guards*, and killing them in Cold Blood?] *which I look'd upon as ſo Deteſtable a thing, and ſo like a* Popiſh Practice, *that I could not but* abhor *it: And at the ſame time, the Duke of* Monmouth *took me by the Hand, and told me very kindly,* My Lord, I ſee you and I are of a temper. *Did you ever hear ſo horrid a thing? And I muſt needs do him that Juſtice, to Declare, that I never obſerved in him but an* Abhorrence *to* All *Baſe* Things.]

My Lord was charg'd by the Indictment of High Treaſon, for Conſpiring, Compaſſing, and Imagining the Death and Deſtruction of the King; And the Raiſing of a Rebellion within the Kingdom. Now this was a Conſultation in Order to that end: And for that which is here call'd a *Conſtructive Treaſon*, It was much a Plainer Act of Treaſon then any thing in the Articles againſt my Lord Chief Juſtice Scroggs; And yet That paſs'd for a very Current, Houſe-of-Commons Treaſon. The Paper ſays, that my Lord was but once at Mr. Shepheards with that Company: Mr. Shepheard ſwears it Twice, with the ſame Company: But that Slip of Memory ſhall go for Nothing. There was [No Undertaking to ſeize the Guards,] it ſeems; nor any [Appointment to View, or Examine them.] That's becauſe it was not yet come to a *Reſolution*: But here's no Denyal at all, of a Debate or Conſultation toward it: The Exploit was found [Feaſible, and ſeveral Diſcourſes about it.] But ſaid only to be in *General*, and by *Accident*; Is it meant that they *Met* by Accident, and ſo fell upon Diſcourſe only by Accident; And that This Particular of [Seizing the Guards] fell in only as an Accidental Diſcourſe? This way of *Diſguiſing* the Truth is as Clear to any man that has Eyes in his head, as if it were a Plain *Confeſſion* of it; for if it were meant *Good Faith*, the Author would have ſtrain'd himſelf for another Invocation of [the Great God, the Searcher of Hearts, and Judge of All Things,] to bear Witneſs to the Explicite Truth of the Caſe. But [it was never Conſented to as *Fit* to be done.] Now That *Fitneſs* may referr to the *Time*; the *Means*; the *ways*, the *Inſtruments*. They had not yet Pitcht upon a Safe, and Effectual Way perhaps, for the doing of it: But there was [More, General Diſcourſe now of the ſame Kind at my Lord Shaftsbury's] And This was a Terrible *General* Diſcourſe, for it made m Lord Immediately Fly out, and Exclaim againſt it, I wiſh the Paper had ſet forth *what this General* Diſcourſe was; And what the *Other* was too, that fell in by *Accident*; And whether *that General* Diſcourſe and *This* General Diſcourſe, were not as good as all one: But in ſhort; *Such* General Diſcourſe it was, that it wanted but one ſtep, of Maſſacring the Guards; Or cutting their Throats in their Beds; which, the Paper ſays, [My Lord *Abhorr'd* it for, being ſo like a *Popiſh* Practice] A Presbyterian Practice would not have done a miſs neither in This Place, If a body had had the Murder of the Late King; Montroſs; The Arch-biſhop of St. *Andrews &c.* in his thought. But ſhall any man at laſt be ſo Weak, as to ſwallow it, that [*Did you ever hear ſo Horrid a Thing*,] was only an Exclamation upon a *General* and *Accidental* Diſcourſe? All the Reſt went down well enough, till it came to the Cut-Throat-part of it. And that was the Point that Startled them: The Doing of the Buſineſs, either in a Brave, Generous Way, *Head to Head*; or with Cap in Hand; And a Complement of Loyalty, and Reſpect, to Deſire his Majeſty, in Theſe Dangerous Times, to ſign a Demiſe of his *Three Kingdoms*, to the Uſe of the Councel of Six; Or to a Band of Aſſociators, for the Security of his Sacred Perſon, and the Proteſtant Religion; I do not find, (by any thing I ſee yet) that the Men of Honour (if the Paper-Writer might

might have had his Will) would have Boggl'd at such a way of Proceeding; But the doing of the Thing *Hastily*, was the Business; And the scruple that was made, was upon a Point of Bravery, not Conscience. But to Continue the Story.

[*As to my going to Mr.* Shepheards, *I went with an Intention to taste* Sherry: *for he had promised me to Reserve for me the next very good Piece he met with, when I went out of Town; and if he recollects, he may remember I asked him about it, and he went and fetcht a Bottle: But when I tasted it, I said 'twas Hot in the Mouth; and desired that whenever he met with a Choice Piece, he would keep it for me which he Promised, I Enlarge the more upon This, because* Sir George Jefferies *Insinuated to the* Jury, *as if I had made a* Story *about going thither; but I never said,* [That was the *Only* Reason] *And I will now Truly and Plainly Add the rest.*]

By *this Paragraph*, the Reader is to be held in hand, that my Lords BUSINESS to Mr. *Shepherds* was *to taste Sherry*: And the Paper goes about to *Refresh* Mr. *Shepherd's Memory*, by such and such *Tokens*, the *word* is [*with an Intention to taste Sherry*,] which *in common Speech*, does fairly Insinuate, as if the *Tasting of Sherry* had been the *chief End* of his going; Whereas supposing that to be in his *Intention*, it might be, nevertheless yet the least part of his *Business*: And further, the Author of this Paper has not thought fit to give us any Sort of *Light*, what his Business was: Nay, Mr. *Shepheard*, on the other hand, *swears* that it was a *Meeting* by *Appointment*, and that there was nothing of the *Sherry-Story* in the Case. My Lord, however, made use of this Suggestion at his *Tryal*; and Sir *George Jefferies* Reflecting upon it to the Jury, this Paper undertakes the *Excusing* of *One shift* with *Another*: The *Tasting* of *Sherry* was *One Reason*, though not the *only Reason*. But we are now to Expect a *True* and *Plain* account of the rest.

[*I was the day before this Meeting, come to Town, for two or three days, as I had done, on clean twice before; having a very Near and Dear Relation lying in a very Languishing and Desperate Condition: And the Duke of* Monmouth *came to me, and told me, he was extreamly glad I was come to Town; for my Lord* Shaftsbury *and some* Hot men would *undo us all: How so, My Lord*, said I? *why* (answered he) *they'l certainly do some Disorderly thing or other, if Great Care be not taken, and therefore, for God's sake; tast your Endeavours with your Friends to prevent any thing of this kind. He told me, there would be* company *at Mr.* Shepheards *that night, and desired me to be at home in the Evening; and he would call me, which he did: And when I came into the Room, I saw Mr.* Rumsey *in the Chemney, though he swears he came in after; and there were things said by some with much more Heat than Judgment, which I did* sufficiently Disapprove, *and yet for these* Things I *stand* Condemned: *But I thank God* my Part was sincere and well meant: *It is, I know, inferred from hence, and was pressed to me, that I was acquainted with those Heats and Ill Designs, and did not* Discover *them; but this is but* Misprision of Treason, *at most.* So I dye *Innocent* of the Crime I stand Condemned for, &c.

Here's a short Account of my Lords coming twice or thrice to *Town*; and that he had a Dear Relation lying sick here: But whether he came upon a *Visit*, or upon the *Business in Question*; The Paper says Nothing. The Duke of *Monmouth* Complains to him, as above, of my Lord *Shaftsbury* and Other Hot Headed Men, that would spoyl all; this Implyes my Lords being Antecedently privy to the matter in hand; for he takes the hint immediately. [*How so my Lord?*] (says he) without needing to Enquire either What Men, or what Business? The Answer was no more in Effect then this. *There are a Company of mad Fellows, that will out-run the* Constable, *they will be shewing themselves too soon, and make some* Bedlam Attempt or other, *before we are ready for 'em, and then we are All ruin'd.* So that it was not the *Design it self*, but (as This Paper Represents it) the *rash and imprudent Manage*, that was taken Check at; And now follows the *Meeting* at Mr. *Shepheards*; which this Paper calls [*Company*] as if it were a *chance Company*, not a *Meeting*: But Mr, *Shepheard* speaks of it as a *Set Company*: And Mr. *Rumsey* was likewise

likewise appointed to meet there. My Lords *Contradicting* Mr. *Rumsey* in a *Circumstance* without any *Exception* to him upon the *main*, looks like a *tacit Admittance* of the rest of his *Evidence*. The Paper speaks further, of [*things that were said by some, with more Heat than Judgment*:] but neither says who spake them, nor what the things were; but 'tis Probable they were *Treason*, by my Lords *Disapproval* of them: And it would have been well, if his Lordship had at least told the things, though without naming the *Persons*. It is Remarkable, that the words are [*with much more HEAT than JUDGMENT*] If it had been with much more *Heat* then *Honesty*; my Lords *Disapproval* would have Reflected upon the *Cause*; but with much more *Heat* then *Judgment*, strikes only upon the *Indiscretion*. The Paper thinks it hard, that My Lord should be *condemn'd* for the things which he *Disapproved*, whereas my *Lord* was *Condemn'd* for *Meeting*, *Consulting*, and *Agreeing to Raise an Insurrection*, &c. And it is the *Law* that Pronounces the *Sentence*: My *Lords part*, it seems, was *Sincere*, and well meant. 'Tis a thousand pitties his Lordship was not better *Informed*, for People under a *Mistake* may do the *worst things in the world*, with *good Meaning*. And then methinks [*Heats and Ill Designs*] are too soft a way of Expressing such *Horrible Treasons*. The Paper calls it Dying *Innocent of the Crime my Lord was Condemnid for*, and but *Misprision of Treason* at the *most*, in *concealing* what he was *Privy to*. Here is the *Knowledge* of *Treason Implyed*, in the *Misprision of Treason Confessed*; And there needs not much Concurrance with Traitors, to make a man Guilty of Treason. It is to be wish'd, My Lord would have Declared, what sort of Treason it was that he was made Acquainted with; whether the Imprisoning or Deposing of the *King*: And by what Means and Instruments to be Executed: Once again now, and I have done.

[*As for the Sentence of* Death *passed upon me, I cannot but think it a very* Hard *One, for* Nothing was sworn against me, (~~whether true or false I will not now Examine~~) but some Discourses about making some *Stirs*. *And this is not* Levying War *against the* King, *which is* Treason *by the Statute of* Edward *the* Third, *and not the Consulting and Discoursing about it, which was all that was Witnessed against me. But by a strange Fetch, the Design of* Seizing the Guards, *was Construed a Design of* Killing the King; *and so I was in that* Case.

And now I have Truly and Sincerely told what my part was in that; which cannot be more then a Bare *Misprision*; *And yet I am* Condemned *as Guilty of a Design of Killing the King.*

Here's an *Insinuation* of an *Unjust Sentence*, upon *False Evidence*, though *this Paper Confesses* as much on my Lords Part, as was *Sworn against him*. The Paper calls it [*Nothing but some Discourses about making some Stirs*] and those *Stirs* are afterward Expounded, to be [*Levying War against the King*] And my *Lord* was *Condemned* for *Consulting* about those *Stirs*. These *Consultations*, the *Court* Pronounces to be *Treason*: My *Lord* Insists upon it, that they are only a *Bare Misprision*: And that the *Design of Seizing the Guards is wrongfully Interpreted a Design of Killing the King*. *If this be so strange a Fetch*, what was in the House of Commons to make the *Charge* against my *Lord Chief Justice Scroggs* to be *Treason*.

The Law-Part has been Learnedly, and Copiously clear'd already, in certain Reflexions upon This Paper, called the *Antidote against Poison*: The Ouvert Acts towards the Accomplishing this *Treason*, were abundantly made out at the Tryal; and Undoubtedly That which was Good Law in the Case of my Lord *Stafford* holds as Good in the Case of my Lord *Russel*: And Sir *William Jone*'s Opinion in this Point, will weigh certainly the Opinion of the Author of this Paper.

[Will any man deny (says Sir *William Jones*) that the *Meeting* and *Consulting* of several men together about Killing the King, and changing the Government is an Ouvert Act, Lord *Staffords* Tryal, *pag.* 190.

Here

Here is enough said, to set forth the Inconsistencies of the *Speech Spoken*, and of the *Paper Delivered* to the Sheriffs: And the Disagreements of that Paper with it self in several Peremptory Denials, and Point-Blank Confessions of the same thing. That is to say, according to the Popular Acceptation of Words Delivered with Simplicity and Candour: But then in the True Protestant Latitude of *Savings* and *Reservations*; The Connexion seems to be perfectly all of a piece; And One Line serves to Expound Another; to the Readers Infinite Satisfaction, that there is Nothing Intended upon the Whole, but Fallacy and Illusion; bating only here and there a Stricture, where it Cuts upon the Government. In few words; It is a Reproach in the form of a Vindication: the Panegyrique of a Pedant, instead of the Confession of a Penitent. The Last Prayer and Agonies of a Dying Christian, Dissolved into a Flood of Calumnie and Bitterness against the Church and State; and nothing but the Name, to Entitle it to the thing it Pretends to be: After so Severe and Needful a Reflection upon this Vagabond Paper, for it fills All Mouths and Places, I reckon it a Duty to Accompany my Zeal for the Publick, in this Particular with all Possible Justice and Respect to the Memory of the Dead. The Unhappy Circumstances of his Deplorable Fate duly Considered.

That my Lords Charge was *Proved*, and his Sentence according to *Law*, his Lordship hath acknowledged under his own Hand (whatsoever this Ill-natured Paper may Pretend to the Contrary.) In one Petition to his Majesty, My Lord does [Solemnly Protest upon the Word of a Dying Man, that he never had any Intention or Thought of doing hurt to his Majesties Sacred Person, however by *Interpretation of Law* 'tis imputed to him, And if his Majesty should be pleased to Execute *the Rigour of the Law* upon him; he hoped that God would Enable him, *&c.*] In a second Petition, His Lordship [Humbly and sorrowfully *Confesses* his having been Present at those Meetings, which he is *Convinced* are *unlawful*, and justly Provoking to his Majesty. But being Betrayed by Ignorance and Inadvertence, he did not Decline them as he ought to have done, *&c.*] I have the Charity to Believe now, that really according to the Purport of these Petitions. His Lordships Great Misfortune was rather an Error of Principle, then a Factiousness of Malice: And it is no wonder, if he were somewhat deeper Dyed then Ordinary, that had (but too frequently) most desperate Seducers at his Elbow. What was that Treasonous and Atheistical Libel of [Julian the Apostate] but the very Scheme of this Conspiracy, and Calculated for the Murder of the King, and the Dissolution of the State? And it was the same Poysonous Position that brought this Unhappy Lord to his Ruine.

As to this Pernicious Paper, I make no question but my Lord Signed it, and that he made it his Own, by so Doing: But it holds so little Congruity with the State and Exigence of his Lordships Case, that I am perswaded (under his Anxious-Circumstances) he would have Signed a Blank upon the same Terms, if the same Person had Presented it: For there is not one Syllable in't that Avails him to any purpose Imaginable: It Pretends to Truth and Plainness; and yet scarce six Lines in't without a Riddle. It pretends to Discharge my Lord of the whole Indictment: And yet in several Places, either Intricates, or Confesses it. It pretends to Deliver the whole Truth of the Matter, and yet leaves out the Meetings at his Own and Mr. *Hamdens* House, where the great Pinch of the Charge lay. Nay the Faction had proceeded so far to the Captivating of this Honourable Persons Judgment, that Mr *Montagues* Letter to the *Lord Treasurer*, bearing date *Jan.* 18. 1678. St. *N.* that was Read in the House of Commons, takes Notice how much the Court of *France* depended upon him, for the Crossing (as he calls it) of the Court Measures. [*Mr.* Ruvigny's *Instructions are by the Means of* Will. Russel *and* other Discontented People *to give a Great deal of Mony, and cross all your Measures at Court.*] But to come more particularly now to the miserable Principle that led him to His Destruction.

Upon the *Munday* after my Lords *Condemnation*, the Reverend Dean of *Canterbury*, Dr. *Tillotson*, gave his Lordship a plous and Friendly Visit: Expressing the Extreme *Affliction* as well as *compassion* that he had for his present Condition: And not without great admiration at my Lords being Engaged in a Misfortune of that Quality: But after a little Discourse upon that Subject, the Dr. was much more troubled, to find that my Lord was not only Embarqued in that *Pernicious* and *wicked Design*, but *Possess'd* with the *Principle* of his Chaplains, (*Julian the Apostate*) that *That Resistance was lawful in the Case of Religion, Liberties and Properties being Invaded*: whereupon the Dr. Applyed himself by *Argument* and *Counsel* to the setting of his Lordship right in that Particular, with all the *Freedom, Tenderness* and *Respect Imaginable*: And not without flattering himself at last, that he had gain'd his point upon my Lords Judgment, who promis'd the Dr. at parting, *to bethink himself seriously of what he had said.*

The next day Dr. *Burnet* tells the *Dean*, that his Discourse had wrought a very good Effect upon my Lord, and that *he was now Resolved to do All that might become a man under his Circumstances, and to Discharge his Conscience both towards God and Man.* Hereupon the *Dean* applyed himself forthwith to a Person of Great Honour, with this account of his Success, desiring that the matter might be Represented to his Majesty, which was done accordingly, (and the best Office, which in such a Case the Dr. could render to his Lordship.)

Upon *Wednesday*, the Dean gave my *Lord* another Visit, when taking for granted, that his *Lordship* continued in his late Resolution, he entertained him only with Preparatory Discourses toward the fitting of him for a better Life.

Upon *Friday Morning*, the Dean Administred to my *Lord* the *Holy Sacrament*, having previously Receiv'd such satisfaction from him, as the Occasion and the Duty Required. But afterwards, Mr. *Dean* finding him wavering, went his way; And about five or six in the Evening brought him a *Letter*, which was excellently well Accommodated, and very pertinently Applyed to the Point in Question. The *Dean* Delivered the *Letter* to my *Lord* and Discours'd at large upon it, Earnestly beseeching him to Bethink himself, how much it concern'd him not to leave the World under so dangerous a Mistake, but my Lord seemed much colder now, than before, the *Dean* however pressing him to Enter into a strict and severe Examination of himself, and so he departed, leaving the *Letter* in his *Lordship's* hand.

The next Morning (being the day of his *Execution*) the *Dean* waited upon my *Lord* again, when he found him yet cooler, and utterly Declining any Occasion of farther Discourse upon the Old Matter. Upon this, the Dr. *Desisted*, and Attended him afterwards, and *Pray'd* with him on the *Scaffold*: *Discharging* himself, from first to last in All the Parts of a *Churchman*, and of a *Friend*. A *True Copy*, both of the *Letter*, and of the *Prayer* hereafter follows,

July 20. 1683.

My Lord,

I Was heartily glad to see your Lordship this Morning in that calm and devout Temper at Receiving the Sacrament, but Peace of mind, unless it be well grounded will avail little: And because transient Discourse many times hath little effect for want of time to weigh and consider it, therefore in tender compassion of your Lordships Case, and from all the good will that one man can bear to another, I do humbly offer to your Lordships deliberate Thoughts these following Considerations, concerning the Points of Resistance, if our Religion and Rights should be Invaded, as your Lordship puts the Case, concern-

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ing which, I understand by *Dr. Burnet*, that your Lordship had once received Satisfaction, and am sorry to find a change.

First, That the Christian Religion doth plainly forbid the Resistance of Authority.

Secondly, That though our Religion be Established by Law, (which your Lordship urges as a difference between our Case, and that of the Primitive Christians) yet in the same Law, which Establishes our Religion, it is declared, That it is not Lawful upon any pretence whatsoever to take up Arms, &c. Besides, That there is a particular Law declaring the Power of the *Militia* to be solely in the King. And this Ties the hands of Subjects, though the Law of Nature and the General Rules of Scripture had left us at liberty; which I believe they do not, because the Government and Peace of Humane Society could not well subsist upon these Terms.

Thirdly, Your Lordships Opinion is contrary to the declared Doctrine of all Protestant Churches: and though some particular Persons have Taught otherwise, yet they have been contradicted herein, and condemned for it by the Generality of Protestants. And I beg of your Lordship to consider how it will agree with an avowed asserting of the Protestant Religion, to go contrary to the General Doctrine of the Protestants. My End in this is to convince your Lordship, that you are in a very Great and Dangerous Mistake, and being so convinced, that which before was a Sin of Ignorance, will appear of a much more heinous Nature, as in Truth it is, and call for a very particular and deep Repentance; which if your Lordship sincerely exercise upon the sight of your Error, by a Penitent acknowledgement of it to God and Men, You will not only obtain Forgiveness of God, but prevent a mighty Scandal to the Reformed Religion. I am very loath to give your Lordship any disquiet in the distress you are in, which I Commiserate from my heart, but am much more concerned, that you do not leave the World in a Delusion and false Peace, to the hinderance of your Eternal Happiness. I heartily Pray for You, and beseech Your Lordship to believe that I am with the greatest Sincerity and Compassion in the World,

My Lord,

Your Lordships most Faithful and Afflicted Servant,

John Tillotson.

Dr. Tillotson's *Prayer upon the Scaffold with the Late* LORD RUSSEL.

O Almighty and Merciful God, with whom alone, live the Spirits of Just Men made perfect, after they are delivered from these Earthly Prisons, we humbly commend the Soul of this our dear Brother into thy hands, as into the hands of a Faithful Creator, and most merciful Saviour; humbly beseeching thee that it may be precious in thy sight, wash it, O Lord, from all it's guilt in the Blood of the immaculate Lamb that was slain to take away the Sins of the World; That whatsoever Defilements it may have Contracted in the midst of this wicked World, by the lusts of the flesh, or the wiles of Satan, being purged and done away, by a sincere and unfeigned Repentance, through thy Infinite Mercy and Goodness in our Lord Jesus Christ, it may be presented pure and holy, and without spot, before thee;

O Lord, we humbly beſeech thee to ſupport thy Servant, and ſtand by him in this laſt and great Conteſt; deliver him from the pains of Eternal Death, and ſave him, O Lord, for thy Mercies ſake, and grant that all we who ſurvive, by this, and other Inſtances of thy Providence, may learn our Duty to God and the King, and that by this and other like Spectacles of our Mortality, we may ſee how frail and uncertain our Condition is in this World, that it is all but vanity, and Teach us ſo to number our days, that we may ſeriouſly apply our hearts to that holy and heavenly Wiſdom while we live, which may bring us to *Life Everlaſting*, through *Jeſus Chriſt* our Lord, in whoſe holy Name and Words we conclude our Prayers.

Our Father, &c.

Having done this Right to the *Truth* by an *Impartial Report* of the Matter of *Fact*; And this *Further Right* to the Reverend *Dean*, to Publiſh the *Right* that he hath done to Himſelf in this Affair, I ſhall Super-add *this Note*, that he had nothing to do in the Paper that has made all this Noiſe; but to *Condemn* ſo much as he Heard of it. *And* in *Truth* it was Obſerved, That while my *Lord* and the *Dean* were together, they had neither *Pen, Ink, nor Paper*. Now though 'tis True again, that when my Lord, and Doctor *Burnet* were together, there was *Pen, Ink, and Paper called for*; It Concludes nothing yet as to the *Writing of this Paper*. It is ſaid indeed, that upon Captain *Richardſons* ſpeaking to Doctor *Burnet*, about my Lords making a Speech; he was anſwered by the Doctor, that my Lord only intended to ſpeak a *Few words* upon the Scaffold; and that what he had to ſay elſe, He would leave in a Paper he intended to deliver to the Sheriffs.

There is more then enough ſaid in Reflection upon this Scandalous Paper; that takes ſo much pains to poſſeſſe the World, That this Unhappy *Execution* was a Murder. There *was*, Effectually, a Murder in the Caſe. It was in the Law an Act of Juſtice: But it was in *Him* that *Poyſoned this unfortunate Gentleman* with that *Seditious Maxim*, that brought him to the *Block*, and that afterwards Encouraged him to perſiſt in't. It was in him, I ſay, the *Baſeſt*, and the moſt Treacherous of Murders: And I look upon *Julian* with a Reſpect to this Conſpiracy only, as a Rule to the Example, the One Directs the Rebellion; and the other Proves it.

The End.

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Earle David Rowbotham

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